

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.190 OF 2006

Rajaram Marti Ghorpade .. Applicant
versus
Sou Ghudumbee Saheblal .. Respondent

...

Mr.Nitin Mulye for the applicant.

Mr.Surel Shah for the respondent.

CORAM : D.G. KARNIK, J

DATED : 6th December 2006

P.C.:

1. Heard learned counsel for the parties.
2. The respondent landlord had let out open land admeasuring about 20ft x 20 ft. to the petitioner. By notice to quit, the respondent terminated the tenancy of the petitioner and filed a suit for possession inter alia on the ground of reasonable and bonafide requirement. He

pleaded that he required the suit premises which was open land for construction of a new building and that the plans for the new building were passed by the municipal corporation. The trial court dismissed the suit. On appeal, the lower appellate court held that the respondent had proved her reasonable and bonafide requirement.

3. The finding reached by the lower appellate court that the respondent required the suit premises reasonably and bonafide is a possible finding of fact and cannot be interfered with in exercise of a revisional jurisdiction. Hence the revision application is dismissed summarily.

4. However petitioner is granted six months time for vacating of the suit premises subject to his filing an undertaking in this court in the usual form within four weeks.

(D.G. KARNIK, J)